

“(V) sold or transferred to any other holder on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004.”.

(3) **RULE OF CONSTRUCTION.**—Nothing in the amendment made by paragraph (2) shall be construed to abrogate a contractual agreement between the Federal Government and a student loan provider.

(b) **AVAILABLE FUNDS FROM REDUCED EXPENDITURES.**—Any funds available to the Secretary of Education as a result of reduced expenditures under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087-1) secured by the enactment of subsection (a) shall be used by the Secretary to carry out the programs and activities authorized under this Act.

By Mr. INHOFE:

S. 1205. A bill to require a study of the effects on disadvantaged individuals of actions by utilities intended to reduce carbon dioxide emissions, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. INHOFE. Mr. President, today I am introducing the Ratepayers Protection Act of 2005. This bill will ensure that the poor and elderly and other groups who are disproportionately harmed by rising energy prices are not forced to pick up the tab for utilities that incur costs to control carbon dioxide.

The science underlying the climate change theory does not justify the enormous expenditures mandatory climate bills would impose. Moreover, implementing these climate bills would have virtually no effect on reducing temperatures even if climate alarmists are correct. Yet those in our society least able to bear the costs of these mandatory schemes will be hit the hardest. With my bill, disadvantaged individuals will not be saddled with these costs.

I understand that this bill will be referred to the Energy Committee. I do not plan to move this bill as stand-alone bill, however, but instead to offer it as an amendment to any mandatory climate bill that sets caps on greenhouse gases.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ratepayers Protection Act of 2005”.

SEC. 2. STUDY.

(a) **DEFINITIONS.**—In this section:

(1) **DISADVANTAGED INDIVIDUAL.**—The term “disadvantaged individual” means—

(A) an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);

(B) a member of a family whose income does not exceed the poverty line, as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902);

(C) an individual who belongs to a minority group;

(D) a senior citizen; and

(E) other disadvantaged individuals.

(2) **UTILITY.**—The term “utility” means any organization that—

(A) provides retail customers with electricity services; and

(B) is regulated, either by price or terms of service, by 1 or more State utility or public service commissions.

(b) **STUDY.**—Not later than 30 days after the date of enactment of this Act, the Congressional Budget Office, in consultation with other appropriate organizations, shall initiate a study to determine the effect on disadvantaged individuals of actions taken or considered, or likely to be taken or considered, by utilities to reduce the carbon dioxide emissions of the utilities.

(c) REPORT.—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Congressional Budget Office shall submit to Congress a report that specifically describes the results of the study, including the economic costs to disadvantaged individuals of actions by utilities intended to reduce carbon dioxide emissions.

(2) **REVIEW PERIOD.**—Congress shall have 180 days after the date of receipt by Congress of the report described in paragraph (1) to review the report.

(3) **EFFECTIVE DATE.**—If the Congressional Budget Office determines that there would be an additional economic burden on any of the classes of disadvantaged individuals if the costs of actions by utilities intended to reduce carbon dioxide emissions were recovered from ratepayers, the amendment made by section 3 shall take effect on the day after the end of the review period described in paragraph (2).

SEC. 3. UTILITY ACTIONS TO REDUCE CARBON DIOXIDE EMISSIONS.

The National Climate Program Act (15 U.S.C. 2901 et seq.) is amended by adding at the end the following:

“SEC. 9. UTILITY ACTIONS TO REDUCE CARBON DIOXIDE EMISSIONS.

“(a) **DEFINITION OF UTILITY.**—In this section, the term ‘utility’ means any organization that—

“(1) provides retail customers with electricity services; and

“(2) is regulated, either by price or terms of service, by 1 or more State utility or public service commissions.

“(b) RATEPAYER PROTECTIONS.—

“(1) **IN GENERAL.**—No utility may recover from ratepayers any costs, expenses, fees, or other outlays incurred for the stated purpose by the utility to reduce carbon dioxide emissions.

“(2) **PROHIBITION ON CERTAIN COMMISSION ACTIONS.**—No State utility commission, public service commission, or similar entity may compel ratepayers to pay the costs, expenses, fees, or other outlays incurred for the stated purpose by a utility to reduce carbon dioxide emissions.

“(c) **SHAREHOLDER OBLIGATIONS UNAFFECTED.**—Nothing in this section prevents the shareholders of, or other parties associated with (other than ratepayers), a utility from paying for any action by the utility to reduce carbon dioxide emissions.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 163—DESIGNATING JUNE 5 THROUGH JUNE 11, 2005, AS “NATIONAL HISPANIC MEDIA WEEK”, IN HONOR OF THE HISPANIC MEDIA OF AMERICA

Mr. DOMENICI (for himself, Mr. SALAZAR, Mr. MARTINEZ, and Mr. BINGAMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 163

Whereas for almost 470 years the United States has benefitted from the work of Hispanic writers and publishers;

Whereas over 600 Hispanic publications circulate over 20,000,000 copies every week in the United States;

Whereas 1 in 8 Americans is served by a Hispanic publication;

Whereas the Hispanic press informs many Americans about great political, economic, and social issues of our day;

Whereas the Hispanic press in the United States focuses in particular on informing and promoting the well being of our country's Hispanic community; and

Whereas commemorating the achievements of the Hispanic press acknowledges the important role the Hispanic press has played in United States history: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 5 through June 11, 2005, as “National Hispanic Media Week”, in honor of the Hispanic Media of America; and

(2) encourages the people of the United States to observe the week with appropriate programs and activities.

SENATE RESOLUTION 164—AUTHORIZING THE PRINTING WITH ILLUSTRATIONS OF A DOCUMENT ENTITLED “COMMITTEE ON APPROPRIATIONS, UNITED STATES SENATE, 138TH ANNIVERSARY, 1867-2005”

Mr. COCHRAN (for himself and Mr. BYRD) submitted the following resolution; which was considered and agreed to:

S. RES. 164

Resolved, That there be printed with illustrations as a Senate document a compilation of materials entitled “Committee on Appropriations, United States Senate, 138th Anniversary, 1867-2005”, and that there be printed two thousand additional copies of such document for the use of the Committee on Appropriations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 766. Mr. INOUE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, to provide the necessary authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; which was ordered to lie on the table.

SA 767. Mr. INOUE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, supra; which was ordered to lie on the table.

SA 768. Ms. SNOWE (for herself, Mr. STEVENS, and Mr. INOUE) submitted an amendment intended to be proposed by her to the bill S. 1195, supra; which was ordered to lie on the table.

SA 769. Mr. STEVENS (for himself and Mr. INOUE) submitted an amendment intended to be proposed by him to the bill S. 1195, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 766. Mr. INOUE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, to provide the necessary

authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; which was ordered to lie on the table; as follows:

Strike paragraph (4) of section 4(a) and insert the following:

(4) An offshore aquaculture permit holder shall be—

(A) a citizen or resident of the United States; or

(B) a corporation, partnership, or other entity organized and existing under the laws of a State or the United States.

SA 767. Mr. INOUE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, to provide the necessary authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 5(a) and insert the following:

(a) ENVIRONMENTAL REQUIREMENTS.—The Secretary shall consult as appropriate with other Federal agencies, the coastal States, and regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) to identify the environmental requirements applicable to offshore aquaculture under existing laws and regulations. The Secretary shall establish additional environmental requirements for offshore aquaculture facilities in consultation with appropriate Federal agencies, coastal States, regional fishery management councils, and the public needed to address any environmental risks and impacts associated with such facilities. Environmental requirements may include, but are not limited to, environmental monitoring, data archiving, and reporting by the permit holder, as deemed necessary or prudent by the Secretary. The environmental requirements shall address risks to and impacts on—

(1) natural fish stocks, including safeguards needed to conserve genetic resources and prevent or minimize the transmission of disease, parasites, or invasive species to wild stocks,

(2) marine ecosystems,

(3) biological, chemical and physical features of water quality and habitat,

(4) marine mammals, other forms of marine life, birds, and endangered species, and

(5) other features of the environment, as identified by the Secretary, in consultation as appropriate with other Federal agencies.

SA 768. Ms. SNOWE (for herself, Mr. STEVENS, and Mr. INOUE) submitted an amendment intended to be proposed by her to the bill S. 1195, to provide the necessary authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; which was ordered to lie on the table; as follows:

Strike paragraph (8) of section 4(a).

SA 769. Mr. STEVENS (for himself and Mr. INOUE) submitted an amend-

ment intended to be proposed by him to the bill S. 1195, to provide the necessary authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STATE OPT-OUT.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, if Secretary receives notice in writing from the chief executive officer of a coastal State that the State does not wish to have the provisions of this Act apply in the State's seaward portion of the Exclusive Economic Zone, then—

(1) the provisions of sections 4 shall not apply in that portion of the Exclusive Economic Zone more than 30 days after the date on which the Secretary receives the notice;

(2) no permit issued under this Act shall be valid in that portion of the Exclusive Economic Zone more than 30 days after the date on which the Secretary receives the notice; and

(3) the Secretary may not utilize the personnel, services, equipment, or facilities of that State under section 7 more than 30 days after the date on which the Secretary receives the notice.

(b) TERMINATION OF AQUACULTURE ACTIVITIES.—If the Secretary receives the notice described in subsection (a) after an offshore aquaculture facility has been established under this Act in the State's seaward portion of the Exclusive Economic Zone or permits have been granted under this Act with respect to that area, the Secretary shall—

(1) revoke any such permit or limit its application to areas not included in the State's seaward portion of the Exclusive Economic Zone;

(2) order the closure of the facility within a period of not more than 30 days and provide for an orderly phase out of any activities associated with the facility under this Act; and

(3) take any other action necessary to ensure that the provisions of this Act (other than this section) are not applied within that area.

(c) REVOCATION.—The chief executive officer of a State that has transmitted a notice to the Secretary under subsection (a) may revoke that notice at any time in writing.

(d) DEFINITIONS.—

(1) COASTAL STATE.—The term "coastal State" has the same meaning as given that term in section 304(4) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453(4)).

(2) STATE SEAWARD PORTION OF THE EXCLUSIVE ECONOMIC ZONE.—

(A) IN GENERAL.—In this section, the term "State's seaward portion of the Exclusive Economic Zone" shall be determined by extending the seaward boundary (as defined in section 2(b) of the Submerged Lands Act (43 U.S.C. 1301(b))) of each coastal State seaward to the edge of the Exclusive Economic Zone.

(B) LIMITATION.—Nothing in paragraph (1) shall be construed to give a State any right, title, authority, or jurisdiction over that portion of the Exclusive Economic Zone described in paragraph (1).

NOTICES OF HEARINGS/MEETINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on

Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing on June 16, 2005, entitled "Civilian Contractors Who Cheat On Their Taxes And What Should Be Done About It." The June 16 hearing will be the second hearing the Permanent Subcommittee on Investigations will hold on tax delinquency problems with Federal contractors. On February 12, 2004, the Subcommittee held a hearing entitled "DoD Contractors Who Cheat on Their Taxes And What Should Be Done About It" which examined the Department of Defense's (DoD) failure to levy contractor payments for unpaid taxes owed by contractors doing business with DoD and getting paid with taxpayers dollars. The February 2004 hearing also demonstrated that the problem of tax delinquent Federal contractors may not be confined to DoD. The Subcommittee requested that the Government Accountability Office (GAO) determine if Federal contractors at civilian agencies were tax delinquent. At the June 16th hearing, the Subcommittee will present the results of this expanded investigation. Additionally, the GAO will be releasing two reports which were requested by the Subcommittee on this matter. The first report covers the extent of tax debt among civilian contractors. The second report covers the extent to which the Federal Government and the states have entered into reciprocal agreements to collect delinquent Federal or State taxes.

The Subcommittee hearing is scheduled for Thursday, June 16, 2005, at 9:30 a.m. in Room 562 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd, III, Staff Director and Chief Counsel to the Permanent Subcommittee on Investigations, at 224-3721.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, June 7, 2005 to conduct a Business Meeting on the following agenda:

Resolutions

To authorize alteration of the James L. King Federal Justice Building in Miami, FL.;

H.R. 483, to designate a United States courthouse in Brownsville, TX, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse";

S. 1140, to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr. Bridge";

S. 1017 To reauthorize grants for the water resources research and technology institutes established under the Water Resources Research Act of 1984;

S. 260 Partners for Fish and Wildlife Program;